

# LYNCHBURG CITY COUNCIL

## Agenda Item Summary

MEETING DATE: **October 11, 2005**

AGENDA ITEM NO.: 10

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

**ITEM TITLE: Repeal of the Reversion Clause in a 1957 Deed Transferring Property to the Virginia Jaycees, Inc.**

**RECOMMENDATION:** After a public hearing adopt a resolution agreeing to the repeal of the reversion clause in a 1957 deed transferring property to the Virginia Jaycees in exchange for the conveyance of a portion of the property to the City for a public crosswalk.

**SUMMARY:** The attached letter from legal counsel for the Virginia Jaycees provides background information. In 1957 the City conveyed property located at 1015 Miller Park Square to the Jaycees for \$5000. Subsequently, the Jaycees constructed a building on the site. The deed conveying the property included a reversion clause that would return the property to the City should the Jaycees cease using it. Presently, the City wishes to construct a public crosswalk to provide a safer path from a nearby parking lot to baseball fields in Miller Park. The need for such a crosswalk has been pointed out by Little League representatives and is acknowledged by Public Works Engineering. See the attached sketch for the location of the proposed crosswalk.

As the proposed crosswalk would require a small portion of the Jaycees' property, the Jaycees have asked that the reversion clause in the deed be removed as compensation for the property. Staff supports this request.

**PRIOR ACTION(S):** Transfer of the property to the Jaycees in 1957.

**FISCAL IMPACT:** None

**CONTACT(S):** Gerry Harter

**ATTACHMENT(S):** Letter from Jaycees' counsel, sketch of the proposed crosswalk, proposed resolution.

**REVIEWED BY:** lkp

## RESOLUTION

WHEREAS, in a deed dated August 31, 1957, the City conveyed a parcel of property located at 1015 Miller Park Square to the Virginia Junior Chamber of Commerce (the "Jaycees") for use as a headquarters within the City;

WHEREAS, the deed contained a reverter clause providing that in the event the Jaycees stopped using the property as its headquarters the property would revert back to the City;

WHEREAS, the City wishes to acquire a portion of the property at 1015 Miller Park Square for the construction a public crosswalk that will serve Miller Park;

WHEREAS, the Jaycees have offered to convey the property that is need for the crosswalk to the City without any charge if the City will agree to remove the reverter clause from the August 31, 1957, deed;

WHEREAS, the City administration believes the removal of the reverter clause from the August 31, 1957, deed in exchange for the conveyance of the property needed for the Miller Park crosswalk is in the City's best interests;

NOW, THEREFORE, BE IT RESOLVED by the Lynchburg City Council that in exchange for the Virginia Junior Chamber of Commerce conveying to the City a portion of the property that is located at 1015 Miller Park Square for use as a public crosswalk to Miller Park, the City hereby waives its right of reversion as set forth in the August 31, 1957, deed between the Virginia Junior Chamber of Commerce and the City.

BE IT FURTHER RESOVLED that the City Manager is hereby authorized to prepare, execute and deliver any documents that may be necessary carry out the purpose of this resolution.

Adopted:

Certified:

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Clerk of Council

110L

# Miller Park Baseball Fields Crosswalk/Sidewalk PROJECT

